

**HUNTER, SMITH & DAVIS, LLP**  
A REGISTERED LIMITED LIABILITY PARTNERSHIP

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*Established 1916*

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February 15, 1999

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Mr. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

RE: TRA Docket No. 98-00156

Dear Mr. Waddell:

This letter will serve to inform you and the other Counsel of Record that James Kaiser and Anthony Wilhoit, attorneys for the Tennessee Oil and Gas Association and Robert L. Crossley, co-counsel for Tensasco Pipeline Corporation have been served with copies of the reply of Claiborne County Utility District to the petition to intervene filed by Messrs Kaiser and Wilhoit on behalf of "TOGA". A copy of the certificate of service is attached for filing.

Very sincerely yours,

HUNTER, SMITH & DAVIS, LLP

William C. Bovender

WCB/skd

Enclosures

cc: D. Billye Sanders, Esq., w/encl. (via U.S. Mail)  
Carla Fox, Esq., w/encl. (via U.S. Mail)  
Charles Welch, Esq., w/encl. (via U.S. Mail)  
James O. Phillips, III., Esq., w/encl. (via U.S. Mail)  
William Gibson, w/encl. (via U.S. Mail)

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

IN RE:


APPLICATION OF TENGASCO  
PIPELINE CORPORATION FOR A  
CERTIFICATE OF PUBLIC  
CONVENIENCE AND  
NECESSITY TO PROVIDE  
INTRASTATE NATURAL GAS  
SERVICES

DOCKET NO. 98-00156

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Response of Claiborne County Utility District to Petition of Tennessee Oil and Gas Association's Petition to Intervene has been served upon all counsel of Record by mailing a copy of same by United States mail, postage prepaid, to Anthony A. Wilhoit, and James E. Kaiser, WILHOIT & KAISER, 220 Broad Street, Kingsport, Tennessee 37660; and Robert L. Crossley, Counsel for TENGASCO Pipeline Corporation, THE CROSSLEY FIRM, P.O. Box 318, Knoxville, TN 37901 on this the 15th day of February, 1999.

  
William C. Bovender

# HUNTER, SMITH & DAVIS, LLP

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February 10, 1999

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VIA FEDERAL EXPRESS

Mr. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

RE: TRA Docket No. 98-00156

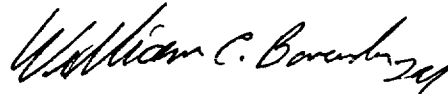
Dear Mr. Waddell:

Please find enclosed for filing one original and fourteen copies of the Response of Claiborne County Utility District To Petition of Tennessee Oil and Gas Associates' Petition To Intervene to be filed in the above captioned matter. Please file the Response and return one stamped copy to us for our files which indicates the date and time filed.

Thank you for your cooperation in this matter.

Very sincerely yours,

HUNTER, SMITH & DAVIS, LLP



William C. Bovender

WCB/jwh  
Enclosures

cc: D. Billye Sanders, Esq., w/encl. (via Federal Express and U.S. Mail)  
Carla Fox, Esq., w/encl. (via Federal Express and U.S. Mail)  
Charles Welch, Esq., w/encl. (via Federal Express and U.S. Mail)  
James O. Phillips, III., Esq., w/encl. (via Federal Express and U.S. Mail)  
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BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE

IN RE:

APPLICATION OF TENGASCO  
PIPELINE CORPORATION FOR A  
CERTIFICATE OF PUBLIC  
CONVENIENCE AND  
NECESSITY TO PROVIDE  
INTRASTATE NATURAL GAS  
SERVICES

DOCKET NO. 98-00156

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**RESPONSE OF CLAIBORNE COUNTY UTILITY DISTRICT  
TO PETITION OF TENNESSEE OIL AND GAS ASSOCIATES' PETITION  
TO INTERVENE**

Comes Claiborne County Utility District and submits the following in response to the Petition of the Tennessee Oil and Gas Association's (herein "TOGA") Petition to Intervene in this docket:

1. One need only look at the status of this docket in order to conclude the Petition to Intervene of TOGA should be summarily denied.

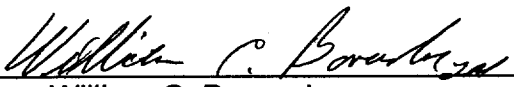
2. The matter has been pending since March, 1998. The Utility Districts first appeared before the TRA on September 1, 1998. We have briefed issues, had a two-day hearing, and submitted post-hearing briefs. The matter is now ripe for decision. Clearly, TOGA is not entitled to intervene as a matter of right under TCA § 4-5-310(a).

3. It would delay receipt of a decision by months if TOGA is allowed to intervene. Since TOGA merely supports the position of Tengasco Pipeline Corporation ("TPC"), there is nothing new TOGA could offer for TPC's position that its cadre of attorneys, witnesses, and substitute witnesses have not already offered. Therefore, the requirements of TCA § 4-5-310(b) are not met in that no interests of justice will be served by TOGA's intervention and the orderly and prompt conduct of the proceedings will be impaired by such intervention.

Premises considered, Claiborne County Utility District opposes TOGA's Petition to Intervene.

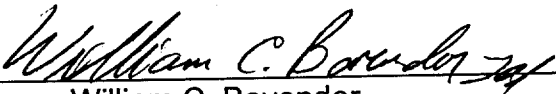
Respectfully submitted,

CLAIBORNE COUNTY UTILITY DISTRICT  
and NATURAL GAS UTILITY DISTRICT OF  
HAWKINS COUNTY, PETITIONERS

By   
William C. Bovender  
BPR No. 000751  
HUNTER, SMITH & DAVIS  
P. O. Box 3740  
Kingsport, TN 37664  
(423) 378-8858  
Attorney for Claiborne County Utility  
District

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Response of Claiborne County Utility District to Petition of Tennessee Oil and Gas Association's Petition to Intervene has been served upon all counsel of Record by mailing a copy of same by United States mail, postage prepaid and by Federal Express, to D. Billye Sanders, Esq., WALLER, LANSDEN, DORTCH & DAVIS, 511 Union Street, Suite 2100, Nashville, TN 37210 and Carla Fox, Esq. Counsel for Tennessee Regulatory Authority, 460 James Robertson Parkway, Nashville, TN 37243-0505; Charles B. Welch, Jr., Esq., 511 Union Street, Suite 2400, Nashville, TN 37219; and James O. Phillips, III, Esq., 210 E. Main Street, Rogersville, TN 37857-3386, on this the 10<sup>th</sup> day of February, 1999.

  
William C. Bovender